

Mail Stop Interference
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Paper 1

Filed August 25, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

LAURE DUMOUTIER AND JEAN-CHRISTOPHE RENAULD

Junior Party

(U.S. Application No. 09/915,735),

v.

YASMIN A. CHANDRASEKHER, JULIA E. NOVAK,
DONALD C. FOSTER, WENFENG XU, AND STEPHEN R. JASPERS,

Senior Party

(U.S. Application 10/471,151).

Patent Interference No. 105,498 (MPT)
(Technology Center 1600)

DECLARATION - Bd.R. 203(b)¹

Part A. Declaration of interference

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties.

Details of the application(s), patent (if any), reissue application (if any), count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this DECLARATION.

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

Part B. Judge managing the interference

Administrative Patent Judge Michael P. Tierney has been designated to manage the interference. Bd. R. 104(a).

Part C. Standing order

A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this DECLARATION. The STANDING ORDER applies to this interference.

Part D. Initial conference call

A telephone conference call to discuss the interference is set for **3:00 p.m.** on **October 17, 2006** (the Board will initiate the call).

No later than four business days prior to the conference call, each party shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd. R. 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

A sample schedule for taking action during the motion phase appears as Form 2 in the STANDING ORDER. Counsel are encouraged to discuss the schedule prior to the conference call and to agree on dates for taking action. A typical motion period lasts approximately eight (8) months. Counsel should be prepared to justify any request for a shorter or longer period.

Part E. Identification and order of the parties

Junior Party

Named inventors: LAURE DUMOUTIER, BELGIUM
JEAN-CHRISTOPHE RENAULD, BELGIUM
Involved Application: U.S. Application No. 09/915,735, filed July 26, 2001
Title: Novel Class II Cytokine Receptors and Uses Thereof
Assignee: Ludwig Institute for Cancer Research

Senior Party

Named Inventors: YASMIN A. CHANDRASEKHER, SARATOGA, CA
JULIA E. NOVAK, SUQUAMISH, WA
DONALD C. FOSTER, LAKE FOREST PARK, WA
WENFENG XU, SEATTLE, WA
STEPHEN R. JASPERS, EDMONDS, WA
Involved Application: U.S. Application No. 10/471,151, filed September 8, 2003
Title: SOLUBLE IL-22R/IL-20RB RECEPTOR COMPLEX
Assignee: Zymogenetics, Inc.

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO & 154.2.1. The senior party is responsible for initiating settlement discussions. SO & 126.1.

Part F. Count and claims of the parties

Count 1

A composition of matter according to Claim 1 of U.S. Application No. 09/915,735 or claim 1 of U.S. Application No. 10/471,151.

The claims of the parties are:

Dumoutier, U.S. Application No. 09/915,735: 1
Chandrasekher, U.S. Application No. 10/471,151: 1-13

The claims of the parties which correspond to Count 1 are:

Dumoutier, U.S. Application No. 09/915,735: 1
Chandrasekher, U.S. Application No. 10/471,151: 1-13

The claims of the parties which do not correspond to Count 1, and therefore are not involved in the interference, are:

Dumoutier, U.S. Application No. 09/915,735: None
Chandrasekher, U.S. Application No. 10/471,151: None

The parties are accorded the following benefit for Count 1:

Dumoutier is accorded priority benefit of the following applications:
NONE

Chandrasekher is accorded priority benefit of the following applications:

- i) PCT/US02/07214, filed March 7, 2002;
- ii) U.S. Provisional Application No. 60/299,865, filed June 21, 2001;
- iii) U.S. Provisional Application No. 60/274,560, filed March 9, 2001

Part G. Heading to be used on papers

The following heading must be used on all papers filed in this interference, see SO & 106.1.1:

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Part H. Order form for requesting file copies

When requesting copies of files, use of SO Form 4 will greatly expedite processing of the request. Please attach a copy of Parts E and F of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.

/Michael P. Tierney/
Administrative Patent Judge

Enc:

Copy of STANDING ORDER
Copy of claims of U.S. Application 09/915,735
Copy of claims of U.S. Application 10/471,151

Revised 3 January 2006

cc (via overnight delivery):

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